

### **REMARKS**

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

The outstanding Office Action, on the form PTO-326 and within the body of the Action, only makes reference to claim 1-8. It is noted that claims 1-9 are pending, and that claim 9 depends from allowed independent claim 8. It is therefore considered that claim 9 is also allowable over the prior art for at least the same reasons as claim 8. Accordingly, claims 8 and 9 will not be discussed further hereinafter.

The Examiner has objected to claims 1-7 for reciting improper language. The Examiner had objected to the language "prevents further tightening" in claims 1 and 5. In this regard the Examiner is referred to the specification at paragraphs [0029] – [0031] wherein operation of the jig during a nut tightening process is described. In any event, the noted language has been revised to refer to 'threading' instead of 'tightening' of the nut, which is consistent with the language used in the specification. It is respectfully submitted that this amended language properly characterizes the function of the present "barrier member". In light of this amendment, reconsideration and withdrawal of the objection to claims 1-7 is respectfully requested.

The present invention is directed to a torque reaction control jig adapted to transfer reaction torque from a drive member to a support member (preferably a wheel) upon threading of a nut onto a threaded member. The jig includes a jig body having an adaptor portion that is adapted to be secured to the drive member in a non-rotatable

fashion. An alignment member is provided. The alignment member extends from the jig body and is adapted to slidably receive a portion of the support member. A barrier member is secured to the jig body and serves to engage the support member should the alignment member be out of alignment with the support member. The barrier member limits movement of the jig body toward the support member, and thereby limits further threading of the nut onto the threaded member. As will be clear from the following discussion, the present invention is very different from the prior art devices cited by the Examiner.

Claims 1 and 2 have been rejected under Section 102(b) as being anticipated by Harrington. For the following reasons, this rejection is traversed.

Harrington is directed to a lug-nut wrench. Harrington's wrench 1 cooperates with a supporting bar 16 that abuts against a wheel rim. The supporting bar 16 includes an axial extension head or nut 21 on one end, and an adjustable nut 26 on the other end. The adjustable nut is rotated or extended relative to the supporting bar "until it engages in a forceful binding relation against the rim 10" (col.2, lines 49-55). The lug-bolt wrench 1 is rotatably mounted to the supporting bar 16 by a saddle strap 18. As such, the wrench 1 may rotate and move backward and forward. It is clear from inspection that Harrington wrench assembly is very different in structure, function and purpose from the presently disclosed invention.

The Examiner has referred to the Harrington support bar (16) as being the jig body, the handle (27) as being the drive member, a shank 11 of the socket wrench as being the alignment member, and the nuts (21, 26) as being the barrier member of the claimed invention.

Initially, it is noted that the Harrington device is not a torque reaction control jig and does not transfer any torque from the wrench to the wheel rim. It is not possible for the wrench 1 to transfer any torque to the supporting bar 16 of Harrington as the wrench 1 must be freely rotatably relative to the supporting bar 16 in order to tighten the lug nuts. Clearly, the Harrington device (i.e., supporting bar) is merely a support that is configured to keep the wrench 1 in an orientation aligned with the lug nut so as to maximize engagement of the wrench socket with the lug nut. The Examiner is asked to keep this basic distinction in mind as further deficiencies of the Harrington reference are hereafter discussed.

With reference to claim 1, it is respectfully submitted that Harrington fails to disclose or suggest a jig body including an adaptor portion that is secured to the drive member in a non-rotatable fashion. Rather, Harrington teaches a supporting bar 16 to which the lug wrench 1 is rotatably secured. In this regard it is noted that the lug wrench cannot serve as both the adaptor portion and the alignment member specified in the claim.

The Examiner had read Harrington's "axial extension head 21" and "adjustable nut 26" onto the present "barrier member." However, as noted previously, the latter member is adjusted outwardly "until it engages in forceful binding relation with the rim 10." Therefore, Harrington's structure cannot be construed as being equivalent to the presently claimed barrier member, which is adapted to engage the support structure when the jig body is misaligned and to be disengaged from the support structure when the jig body is properly aligned.

It is noted that the Examiner has stated that the language of the last three lines

of claim 1 as originally recited "does not further limit the article being claimed." It is respectfully submitted that the functional language of claim 1 further defines the structural elements by specifying their interaction and operation. Accordingly, the portions of claim 1 defining the operation of the alignment member and the barrier member relative to one another and the support structure in the properly oriented and improperly oriented positions must be given patentable weight. It is further noted that the Harrington reference does not provide or suggest these structural relationships.

In view of the above, it is respectfully submitted that Harrington fails to recite "every aspect of the claimed invention" as is required to show anticipation under Section 102 (See MPEP 706.02). Therefore, it is respectfully submitted that claim 1, as presently amended, distinguish over Harrington. Claim 2, which depends from claim 1, is believed to distinguish over the prior art for at least the same reasons as claim 1. Reconsideration and withdrawal of these grounds of rejection is therefore respectfully requested.

Claims 1-5 stand rejected under Section 102(b) as being anticipated by US 6,244,138 to Campbell. Claims 6-7 have been rejected as being unpatentable over Campbell. For at least the following reasons, these rejections are respectfully traversed.

Campbell is directed to an attachable torque reaction device for allowing a power wrench 14 to be used to open and close a valve. The Examiner relies on the embodiment shown in Fig. 3 of Campbell, in which a torque reaction frame 94 includes apertures 102 for bolting the frame 94 directly onto a bolted flange 92 of a valve assembly 12 (col. 3, line 59 et seq.) It is also clear from inspection that Campbell is

very different in structure, function and purpose from the presently disclosed invention.

With reference to claim 1, Campbell does not teach or suggest "an alignment member extending from the jig body" as defined therein. The Examiner has identified the frame 94 as being equivalent to the claimed alignment member. However, claim 1, as amended, defines the alignment member as "being configured such that, when the jig body is properly oriented relative to the support member, said alignment member is positioned and adapted to slidably receive a portion of said support member as said drive member threads the nut onto the threaded member". It is considered apparent that the Campbell frame 94 does not slidably receive a portion of the support member. Further, the alignment member is further defined as being configured such that "when the jig body is improperly oriented relative to the support member, said alignment member does not slidably receive the portion of the support member as the drive member threads the nut onto the threaded member". In this regard, it is noted that the Campbell device would be inoperable without securement of the jig frame to the valve assembly.

With further reference to claim 1, Campbell does not teach a barrier member as defined therein. In this regard, the Examiner has identified Campbell's "barrier member" as being identified by either reference numeral 104 or 96. It is noted that each of these reference numbers refers to a portion of the frame 94, which has already been identified as being the alignment member, described above. In any event, it is considered apparent that the Campbell 'barrier member' is not "disposed such that, when said jig body is properly oriented, said barrier member is disengaged from the support member so as to permit threading of the nut onto the threaded member and,

when the jig body is improperly oriented, said barrier member is positioned and adapted to engage the support member so as to prevent threading of the nut completely onto the threaded member". Clearly, there is no contact between the Campbell 'barrier member' and the support member, regardless of the orientation of the jig body relative to the support member.

With reference to claim 5, which has been recast as a combination of the torque reaction jig and the wheel, it is clear that Campbell does not teach many of the basic elements defined therein. For example, Campbell does not teach or suggest "a plurality of wheel studs extending from said wheel" or "an alignment member extending from the jig body, said alignment member comprising a pair of stud nests that are each adapted to slidably receive an associated one of said plurality of wheel studs". There is nothing in Campbell that is equivalent to the 'wheel studs' or 'stud nests' required by claim 5.

With continued reference to claim 5, Campbell also does not teach or suggest a structure "wherein said jig is movable relative to the wheel between an aligned position, in which said stud nests are generally coaxial with said associated wheel studs, and a misaligned position in which said stud nests are not coaxial with associated wheel studs, and wherein said barrier member engages one of the wheel studs when said jig is in the misaligned position and thereby limits threading of the spindle nut onto the axle", as required. It is submitted that movement between an aligned position and a misaligned position is not contemplated by Campbell.

In view of the above, it is respectfully submitted that Campbell fails to recite "every aspect of the claimed invention" as is required to show anticipation under

Section 102 (See MPEP 706.02). Therefore, it is respectfully submitted that claims 1 and 5 are patentable over Campbell. Likewise, dependent claims 2-4 are considered to be allowable over the Campbell reference. Reconsideration and withdrawal of the rejections based upon Campbell is respectfully requested.


Claims 6 and 7 stand rejected as being unpatentable over Campbell. It is respectfully submitted that this rejection is moot in view of the amendments to claim 5, and that the arguments in favor of patentability of claim 5 are equally relevant to claims 6 and 7 that depend therefrom. Accordingly, reconsideration and withdrawal of the rejections of claims 6 and 7 based upon Campbell is hereby requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. HON-15048.

Respectfully submitted,

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